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6 *Counsel for Richard A. Marshack,*
7 *Liquidation Trustee of the LPG Liquidation*
8 *Trust*

9 **UNITED STATES BANKRUPTCY COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**
11 **SANTA ANA DIVISION**

11 In re

12 **THE LITIGATION PRACTICE**
13 **GROUP P.C.,**

14 Debtor.

Case No.: 8:23-bk-10571-SC

Chapter 11

**DECLARATION OF RICHARD A.
MARSHACK IN SUPPORT MOTION
FOR ENTRY OF ORDER ENFORCING
AGREEMENT OF PURCHASE AND
SALE AND JOINT ESCROW
INSTRUCTION, AND COMPELLING
MORNING LAW GROUP, P.C. TO
MAKE PAYMENT THEREUNDER AND
RELATED RELIEF**

Date: April 23, 2025

Time: 1:30 p.m.

Judge: Hon. Scott C. Clarkson

Place: Courtroom 5C

411 W. Fourth Street
Santa Ana, CA 92701

1 I, Richard A. Marshack, declare as follows:

2 1. I am the Liquidating Trustee (the "Trustee") of the LPG Liquidating Trust (the
3 "Trust"), in the above-captioned bankruptcy case (the "Bankruptcy Case") of The Litigation
4 Practice Group P.C. (the "Debtor"). I make this declaration in support of the Trustee's *Motion for*
5 *Entry of Order Enforcing the Agreement of Purchase and Sale and Joint Escrow Instruction, and*
6 *Compelling Morning Law Group, P.C. to Make Payment Thereunder and Related Relief* (the
7 "Motion").¹ I am over the age of 18, except as otherwise indicated herein I have personal
8 knowledge of the facts set forth herein or have obtained familiarity with such facts from persons
9 knowledgeable of them, and if called upon to testify, could and would do so.

10 2. I understand that MLG provided a calculation that the Earn-Out payment owed by
11 MLG for the Fourth Quarter of 2024 is \$953,247.59. The interpretation of the Earn-Out language
12 under the PSA is currently under dispute as set forth more fully in the Motion and defined as the
13 Earn-Out Dispute therein. Under the Trust's interpretation of the Earn-Out language in the PSA,
14 the Earn-Out payment is greater than the Undisputed Payment calculated by MLG. Accordingly,
15 I do not believe that the ultimate Earn-Out payment for the Fourth Quarter of 2024 will be lower
16 than the Undisputed Payment regardless the outcome of the Earn-Out Dispute.

17 3. I have not authorized, or entered into any written agreement, that permits MLG to
18 defer undisputed portions of the Earn-Out amounts to the Trust during the pendency of the Earn-
19 Out Dispute.

20 I declare under penalty of perjury that the foregoing is true and correct.

21 Executed this 2nd day of April 2025.

22 

23 Richard A. Marshack

24
25
26
27 ¹ Capitalized terms not defined herein have the meanings assigned to them in the Motion.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 10250 Constellation Boulevard, Suite 900, Los Angeles, CA 90067.

A true and correct copy of the foregoing documents entitled: DECLARATION OF RICHARD A. MARSHACK IN SUPPORT OF MOTION FOR ENTRY OF ORDER ENFORCING AGREEMENT OF PURCHASE AND SALE AND JOINT ESCROW INSTRUCTION, AND COMPELLING MORNING LAW GROUP, P.C. TO MAKE PAYMENT THEREUNDER AND RELATED RELIEF on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On 4/02/2025, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

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- **Johnny White** JWhite@wrslawyers.com, jlee@wrslawyers.com
- **Reina Zepeda** rzepeda@omniagnt.com

2. SERVED BY UNITED STATES MAIL: On 4/02/2025, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows.

See attached for additional parties

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on 1/08/2025, I served the following persons and/or entities by personal delivery, mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

The Honorable Scott C. Clarkson
United States Bankruptcy Court, Central District of California
411 West Fourth Street, Suite 5130 / Courtroom 5C
Santa Ana, CA 92701-4593

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

4/02/2025

Kimberly Hoang

/s/ Kimberly Hoang

Date

Printed Name

Signature

Additional Parties Served by U.S. Mail

Creditors who have the 20 largest unsecured claims

Debt Validation Fund II, LLC
5075 Lower Valley Road,
Atglen, PA 19310

MC DVI Fund 1, LLC; MC
DVI Fund 2, LLC
598 Cottonwood Dr.,
Glenview, IL 60026

Validation Partners LLC
1300 Sawgrass Pkwy, Ste. 110
Sunrise, FL 33323

Marich Bein LLC
99 Wall Street, Ste 2669
New York, NY 10005

Business Centers of America
1100 Sir Francis Drake Blvd,
Ste 1, Kentfield, CA 94904

JP Morgan Chase
3 Park Plaza, Ste 900
Irvine, CA 92614

CA Franchise Tax Board
PO Box 942857
Sacramento, CA 94257-0511

Outsource Accelerator Ltd
City Marque Limited
Unit 8801-2 Bldg. 244-248
Des Voeux Rd.
Central Hong Kong

Collaboration Advisors
400 Dorla Court
Zephyr Cove, NV 89448

Anthem Blue Cross
PO Box 511300
Los Angeles, CA 90051-7855

1 Azevedo Solutions Groups, Inc.
2 420 Adobe Canyon Rd.
3 Kenwood, CA 95452

4 Debt Pay Pro
5 1900 E Golf Road, Suite 550
6 Schaumburg, IL 60173

7 Sharp Business Systems
8 8670 Argent St
9 Santee, CA 92071

10 Tustin Executive Center
11 1630 S Sunkist Steet, Ste A
12 Anaheim, CA 92806

13 Exela Enterprise Solutions
14 2701 E. Grauwlyer Road
15 Irving, TX 75061

16 Netsuite-Oracle
17 2300 Oracle Way
18 Austin, TX 78741

19 Credit Reporting Service Inc
20 548 Market St, Suite 72907
21 San Francisco, CA 94104-5401

22 Document Fulfillment Services
23 2930 Ramona Ave #100
24 Sacramento, CA 95826

25 Executive Center LLC
26 5960 South Jones Blvd
27 Las Vegas, NV 89118

28 LexisNexus
15500 B Rockfield Blvd
Irvine, CA 92618

Secured Creditors

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Sunny Isles, FL 33154

City Capital NY
1135 Kane Concourse
Bay Harbour Islands, FL 33154